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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,068	04/07/2006	Masahiro Kawasumi	04995/297001	6586
22511 7590 02/27/2008 OSHA LIANG I.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010				
EXAMINER ROSS, DANA				
ART UNIT 3722		PAPER NUMBER		
NOTIFICATION DATE 02/27/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com  
buta@oshaliang.com

**Office Action Summary****Application No.**

10/575,068

**Applicant(s)**

KAWASUMI ET AL.

**Examiner**

Dana Ross

**Art Unit**

3722

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 4/7/06

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: the disclosure refers to the claims by numbers. Applicant is required to amend the specification to remove these references and to incorporate into the disclosure the subject matter of these claims that is necessary to the understanding of the invention.

### ***Drawings***

2. The replacement drawings were received on 10 April 2007. These drawings are acceptable.

3. Figures 7 and 8 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated (see paragraphs 0004 and 0016 of Applicant's disclosure). See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-510439 (hereafter '439) and also by WO 01/030522 (hereafter '522).

Both '439 and '522 disclose a baseboard upon which sits a headstock which moves in Z1 direction, a back attachment with sub spindle, first and second turret tool posts, and guide bush (see figure 1 of '439 and figure 1 of '522).

6. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. Pub. No. 2002/0014139 (Hirose et al.).

Hirose teaches a base board on which is mounted two headstocks (29L and 29R), headstock (29L) being fixed and headstock (29R) movable in the Z-axis (see paragraph 0023, figure 1); headstock (29R) being movable in the Z axis that is parallel to an axial direction of the main spindle of the headstock (see paragraph 0023, figure 1); a back attachment (see area near reference numbers 7, 12, 15 and 17 of figure 1, paragraph 0026) provided with a sub spindle (14) that is arranged to be opposed to the headstock, the back attachment being arranged to move in a direction of a Z axis that is parallel to the axial direction of the main spindle of headstock (29R), and in both directions of an Z and Y axis that are perpendicular to the direction of the Z axis and are perpendicular to each other (see figure 1).

Hirose teaches a guide bush (see paragraph 0038, for example) that is mounted on the base board between the headstock (29R) and the back attachment, (see area near reference numbers 7, 12, 15 and 17 of figure 1, paragraph 0026).

Hirose teaches a fixed back machining tool unit (ATC 20 with magazine 19) for the back attachment (see area near reference numbers 7, 12, 15 and 17 of figure 1, paragraph 0026) with second turret tool post configured that a back machining tool is attachable thereto, and also at least two front face tools and at least two back face tools are attachable to a tool attaching face of the second turret tool post (see figure 5, for example).

Examiner notes that whereas Hirose discloses a guide bushing in the generic sense through the disclosure of the support of heavy work pieces, Hirose does not expressly disclose the terminology of a “guide bush” in accordance with the disclosed configuration of Applicant’s “guide bush”.

In the event Applicant asserts that the guide bush of Hirose does not meet the claimed limitations of the guide bush of Applicant's invention, Applicant is referred to the below 35 USC 103(a) obvious rejection.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirose in view of US Pat. No. 5,152,201 (Izawa).

Re claims 1-3, see above rejection under Hirose.

Examiner notes that whereas Hirose discloses a guide bushing in the generic sense through the disclosure of the support of heavy work pieces, Hirose does not expressly disclose the terminology of a "guide bush" in accordance with the disclosed configuration of Applicant's "guide bush".

However, the use of a guide bush is well known in the art as is taught by Izawa.

Izawa expressly discloses the terminology of a guide bush 36 (see col. 4, lines 43-46, figure 1).

It would be obvious to one of ordinary skill in the art at the time the invention was made to modify the generic support as taught by Hirose to include the specific use of a guide bush as taught by Izawa for the purpose of providing a more precise machining by the cutting tools (see Izawa col. 4, lines 43-46).

Examiner further notes that '439 expressly discloses the guide bush as further evidence of the well known feature of a "guide bush" (see reference number 20, figure 2 of '439).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dana Ross/  
Primary Examiner, Art Unit 3722